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Express Mail No.: EV 654 850 850 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Fleischer and Reimer

Confirmation No.: 9935

Serial No.: 09/701,450

Group Art Unit: 1615

Filed: November 27, 2000

Examiner: Gollamudi S. Kishore

For: PREPARATIONS FOR THE APPLICATION OF  
ANTI-INFLAMMATORY, ESPECIALLY  
ANTISEPTIC AGENTS AND/OR AGENTS  
PROMOTING THE HEALING OF WOUNDS TO THE  
LOWER RESPIRATORY TRACT

Attorney Docket No.: 11390-005-999

**PETITION TO REVIVE AN APPLICATION ABANDONED DUE TO  
UNINTENTIONAL DELAY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby respectfully petition for the above-identified application ("the '450 application") to be revived under 37 C.F.R. § 1.137(b) on the ground that the '450 application was abandoned unintentionally because Applicants filed an improper Request for Continued Examination on June 22, 2005. Applicants state that the entire delay from the abandonment of the '450 application to the filing of a grantable Petition is unintentional.

Submitted concurrently herewith is: (a) a Reply under 37 C.F.R. § 1.111 with Amendment; (b) an Amendment Fee Transmittal Sheet; (c) a Second Supplemental Information Disclosure Statement with a List of References Cited; and (d) a copy of each of the cited references, which are submitted in response to the Office Action dated December 22, 2004.

10/31/2005 HLE333 00000080 503013 09701450

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A fee of \$1,500.00 is believed due for submission of this Petition. Please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is attached for accounting purposes.

If any issues remain, Applicants respectfully request that the undersigned be contacted directly at telephone number (212) 326-3921.

Respectfully submitted,

Date: October 26, 2005

Samuel B. Abrams 30,605  
Samuel B. Abrams (Reg. No.)

By: William J. Thomann 40,203  
William J. Thomann (Reg. No.)  
**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017-6702  
(212) 901-9028

Enclosures